

**Minutes  
Regular Meeting  
of the  
Louisville Metro Air Pollution Control Board  
February 18, 2009**

The regular meeting of the Louisville Metro Air Pollution Control Board (Board) was called to order on February 18, 2009, at 10:15 a.m. in the Board Room of the Louisville Metro Air Pollution Control District, 850 Barret Avenue, Louisville, Kentucky, by the Chairman, Dr. Robert Powell. Other Board members present were Dr. Nadir Al-Shami, Ms. Barbara Sexton Smith, Ms. Vanessa Ruffin, Mr. Ronald Thomas, and Ms. Bonnie Biemer. A quorum was present.

The following Louisville Metro Air Pollution Control District (District) staff members were present: Lauren Anderson, Joseph Schweinhart, Cynthia Lee, Paul Aud, Terri Phelps, Eva Addison, Larry Garrison, Jenny Rhodes, Michelle Stites, Rick Williams, Shane Corbin, Craig Butler, Tua McDermott, Steven Gravatte, and Monica Little. Also present were Assistant County Attorneys Stacy Fritze and Kathryn Hargraves.

The following guests were present: Ahad Chowdhury; Tim Corrigan, Greater Louisville, Inc.; Carolyn Embry, American Lung Association; Barbara Hall, Ford – Kentucky Truck Plant; Carl Hilton, West Jefferson County Community Task Force; Tim Hooker, Linebach Funkhouser; Paul Howard, MACTEC; Frank Kennedy, KEC; Cheryl-Lynne Patrick, Frost Brown Todd; Vince Pinnick, American Synthetic Rubber Company; Sarah Scheetz, E.ON U.S.; and Paige Mosser Theriac, Theriac Environmental Consultants, Inc.

Dr. Powell asked attendees at the meeting to remember Ms. June Powell Parrish Hicks who passed away recently. Ms. Hicks was a former District Board member and served as Board Chair for several years.

**Approval of Minutes**

The minutes of the regular Board meeting on January 21, 2009, were approved as written.

**New Business**

**A. Agreed Board Order with Kelley Technical Coatings, Inc.**

Dr. Powell said that District staff recommends that the Board accept the Agreed Board Order with Kelley Technical Coatings, Inc.

**Motion:** Ms. Smith moved to adopt the Agreed Board Order with Kelley Technical Coatings, Inc. as recommended by the District.

The motion passed unanimously.

## **Committee Reports**

### **A. Policy Committee – met February 18, 2009**

Mr. Thomas, Chair of the Policy Committee, reported the committee met before the February 18, 2009 Board meeting to review the draft amendment to Regulation 2.05 *Prevention of Significant Deterioration of Air Quality* (PSD), Version #9, Draft #2 – External, February 16, 2009. The committee approved the recommendation from District staff to begin the formal public comment period for Regulation 2.05.

Ms. Lee, Environmental Programs Manager, explained the changes to Regulation 2.05, which is to enhance air quality on public land and to protect public health and welfare. She said the PSD regulation is mainly applicable to new sources or existing major sources to allow growth and limit the degradation to the community in increments. Ms. Lee said the District is also required to include the regulation in Kentucky's State Implementation Plan (SIP).

## **Staff Reports**

### **A. Director**

Ms. Anderson announced that Mayor Jerry Abramson and other members of the Executive Board of the National Council of Mayors will meet with President Barack Obama in Washington, D.C. on February 20, 2009, to discuss the economic stimulus package.

Ms. Anderson said District staff had been reporting to the Board that the community would be in non-attainment of the PM<sub>2.5</sub> daily standard. She said that EPA Region 4 may reverse their decision and accept some of the community's exceptional events based on Indiana's exceptional events which were accepted by EPA Region 5.

Ms. Anderson stated that Kentucky Utilities (KU), which is a part of LG&E's parent company E.ON U.S., entered into a consent decree with the federal EPA for violation of the PSD program. She said KU was alleged to have made modifications to one of their plants without going through a formal PSD review and upgrading some of their emissions control equipment.

Ms. Anderson said the Kentucky legislature is currently in session but there are few environmental bills. One bill that will be discussed is HB 351 which will require the state to monitor and require carbon sequestration projects for new generating units at utilities. Ms. Anderson said carbon sequestration is a big discussion topic in Kentucky because of the state's heavy reliance on coal.

Ms. Anderson reported that the District's STAR Advisory Group (SAG) will have their first meeting on February 20, 2009, at 10:00 a.m. to discuss improvements to the STAR program. She announced that Dr. Robert Powell will chair the SAG. She said the primary goal is to improve the usability and clarity of the STAR program.

## **B. Air Quality Data**

Dr. Powell stated the January 2009 PM<sub>2.5</sub> readings were slightly higher and was the highest January reading since 2001. The air quality monitoring reports were submitted for filing. A copy of each report is attached to the original minutes.

## **C. Enforcement Status Reports**

The enforcement reports were submitted for filing. A copy is attached to the original minutes.

## **D. Excess Emission Report**

The January 2009 *Excess Emission Reports* were submitted for filing. A copy is attached to the original minutes.

## **E. Permit Application Reports**

The permit application reports were submitted for filing. A copy is attached to the original minutes.

## **F. Lawn Care for Cleaner Air Awards**

The list of this month's *Lawn Care for Cleaner Air Award* recipients was submitted for filing. A copy is attached to the original minutes.

## **Next Meeting**

The next regular Board meeting is scheduled for Wednesday, March 18, 2009, at 10:00 a.m.

## **Adjournment**

The meeting was adjourned at 10:53 a.m.

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Robert W. Powell, M.D.  
Chairman

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Joseph E. Schweinhart  
Secretary-Treasurer